



Lamoine Board of Selectmen

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Minutes of September 25, 2014

Chairman Gary McFarland called the meeting to order at 6:40 PM.

Present were: Selectmen Gary McFarland, Nathan Mason, S. Josephine Cooper, Bernie Johnson; Administrative Assistant Stu Marckoon

Jo moved to go into executive session pursuant to 1MRSA §405(6)(a) in order to review applications for the Animal Control Officer's job opening. Nathan 2nd. **Vote in favor was 4-0 at 6:40 PM. Out at 6:45 PM**

Following the closure of the executive session, members of the public were present, including Kathleen Rybarz, John Holt, Steve Salsbury, Richard McMullen, Valerie Sprague, Brian Hubbell and Lynn Tscheiller. Selectman Heather Fowler arrived at 6:50 PM.

Agenda Review – There were no changes proposed to the printed agenda or addendum.

Minutes of September 11, 2014 – Bernie moved to approve the minutes as presented. Nathan 2nd. **Vote in favor was 3-0 (Cooper abstained, Fowler not present yet).**

Expenditure Warrant 6 – Selectmen signed the warrant in the amount of \$67,183.06. Stu reported the bulk of the expenditures (nearly \$49,000) was for school expenses.

Cash & Budget Reports – Stu reported that only 3-pages were printed, as the 4th page with the fund balances would have been out of whack because he is in the process of closing the books for FY 2014.

Budget Committee Member – Jo moved to appoint Constance Bender as a full member of the Budget Committee to fill out the vacancy left by Kathleen DeFusco's resignation. Bernie 2nd. **Vote in favor was 4-0 (Fowler not present yet).**

Alternate Budget Committee Member Vacancy – Stu said there is no requirement to have an alternate member, but it would be good to have one. A brief discussion followed. Selectmen advised to go ahead and advertise the vacancy.

Planning Board Alternate Status – The invitation to meet with Mr. Weber had indicated a 7:00 PM meeting time, and the Selectmen opted to table the matter until after 7:00 PM.

Animal Control Officer – Stu reported that the advertisement in the Ellsworth American did not appear until today's paper due to an error at the newspaper. Additionally, the town's web site had been down for about a week, so that ad did not appear very long there, and the application materials were not available. It was noted that three people have expressed interest in the position, but the opening did not have a lot of exposure. Selectmen agreed to re-advertise, with a deadline for the October 9, 2014 meeting.

They instructed Stu to contact the applicants to schedule interviews starting at 6:30 PM on the 9th.

Gravel Ordinance Workshop follow up – Gary said he attended the Planning Board workshop last week, but there was not a lot of discussion. Planning Board Chair John Holt said the board shared some ideas involving renewal process, and the Planning Board has assigned itself to address that issue. He said their next meeting is October 7, 2014. He said a renewal should be able to contain less data. He said they have worked on ideas to encourage restoration and less “open” area and to give incentives for smaller operations. He said the board thinks it can find ways to encourage smaller gravel pit footprints. He said there would probably be another special workshop meeting. Stu noted that there is nothing ready for a vote in November.

Planning Board Alternate Status – Gary noted the alternate member Charles Weber was not present and he was asked to either show up or it would be considered a resignation. Jo moved to accept Mr. Weber’s resignation from the Planning Board. Bernie 2nd. **Vote in favor was 5-0.**

Discussion followed about appointing a 2nd alternate member (David Legere is currently an alternate). Bernie said it’s a good training ground for full members. There was no objection from the Selectmen to advertise for a 2nd alternate position.

Gravel Ordinance – Draft 2 – Bernie said he looked it over. Gary urged the full board to read it. Nathan said it appears to meet the general goals the board had set out. Rev. Holt said the Selectmen might get individual feedback from Planning Board members – but not from the board as a whole. He said he had concerns about the change in the scope about not applying when it is clearly incidental to other activity, and cited the carrot farm example.

Veterans’ Graves Care – Stu said he had not heard back from either cemetery corporation about an agreement to care for the veterans graves. He asked if the Selectmen wished to reach out to the corporations. There was a discussion about the number of veterans’ graves to maintain. The board asked to invite both corporations to attend the next meeting.

Lamoine Quarterly – Stu reported that the Quarterly will not be ready by October 1st (and that he had not yet started writing it). He said a draft would be ready for approval by October 9th.

Attorney’s Opinion – Gravel Permit Consent Agreements – Selectmen reviewed an e-mailed message from attorney Dan Pileggi and from Steve Salsbury, the agent for Harold MacQuinn, Inc. and John W. Goodwin Jr. Bernie said the idea of the consent agreement was to allow the companies to continue working toward compliance while keeping their pits operating. He said the communications from Mr. Salsbury indicated that they are ready to begin the compliance process.

Rev. Holt said the memorandum from Mr. Salsbury was what he had requested in an e-mail communication. He said the Planning Board felt that their hands had been tied by the consent agreements and this provides some breathing room. He suggested one change to the memorandum of understanding proposed by Mr. Salsbury which was accomplished electronically and the document reprinted. Jo moved to sign the memorandum of understanding. Nathan 2nd. **Vote in favor was 5-0. Gary signed on behalf of the Selectmen, and Mr. Salsbury on behalf of his clients.**

Household Hazardous Waste Permits – Stu reported the collection date is Saturday. He said that he printed up 10-permits intentionally to try to keep the cost manageable. He said one person complained that he didn't wish to try to pool his materials with neighbors he did not know, so an additional permit was issued. Selectmen discussed how the collection program works.

Complaint re: Marlboro Beach Road Property – Stu reported an e-mailed letter came in regarding the condition of a home on Marlboro Beach Road. He recommended the matter be referred to the Code Enforcement Officer and Health Officer. There was a brief discussion about the property's condition, and Selectmen did not object to that referral.

Elected Officials Meeting – October 15, 2014 – Stu encouraged the board to attend the meeting at the Somesville Fire Station. Among the topics of discussion of interest are the future of the PERC plant, county government, and possibly an island wide police department.

Request for Refund – Gravel Fee – Stu reported the recently approved gravel permit for Michael Keene put him in the \$300 permit fee range, instead of the \$450 he originally paid for. He said the Planning Board did not feel comfortable ordering a refund and felt the Selectmen should be the authorizing body. Jo moved to refund Mr. Keene \$150.00. Heather 2nd. **Vote in favor was 5-0.**

Other Business – Abandoned jeep – Heather said she'd received a complaint about a jeep that was piled on top of tires at the Pro Auto building. Stu said he could refer this to the Code Enforcement Officer and drop the owner a note via Facebook.

Recreation Opportunities – Nathan said there has been an increased interest in recreation programs run by townspeople and some space conflicts on town property. The board discussed reviewing the Parks Ordinance and possibly meeting with the Parks Commission and potentially bringing the School Committee in on the issue. There was discussion about pond hockey, soccer, and other recreational opportunities. The matter will be placed on a future agenda.

Shore Road Cut – Stu reported the town office received several complaints regarding work done to replace a water pipe on Shore Road that was not immediately patched. He said he had contacted Ray Plumbing before leaving town on Thursday to make sure it would be done, and apparently it was not. He said the office received a number of angry calls on Friday. The matter has since been rectified.

Next Meeting Dates – The next regular meetings take place on October 9, 2014 (6:30), October 23, November 13, and December 11.

There being no further business, the meeting adjourned at 7:50 PM.

Respectfully submitted,

Stu Marckoon, Adm. Asst. to the Selectmen

NOTE: This meeting was digitally recorded and re-televised by the Cable TV system, but a DVD recording was not made.